

1 DAVID R. EBERHART (S.B. #195474)
deberhart@omm.com

2 DAVID J. SEPANIK (S.B. #221527)
dsepanik@omm.com

3 O'MELVENY & MYERS LLP
4 Two Embarcadero Center, 28th Floor
San Francisco, CA 94111-3823
Telephone: 415/984-8700
5 Facsimile: 415/984-8701

6 Attorneys for Plaintiff and Counter-Defendant
APPLE INC.

8 MARTIN R. GLICK (No. 40187)
email: martin.glick@aporter.com
9 DANIEL B. ASIMOW (No. 165661)
email: daniel.asimow@aporter.com
10 SEAN M. CALLAGY (No. 255230)
sean.callagy@aporter.com
11 ARNOLD & PORTER LLP
Three Embarcadero Center, 7th Floor
12 San Francisco, California 94111-4024
Telephone: 415/434-1600
13 Facsimile: 415/677-6262

14 Attorneys for Defendants
AMAZON.COM, INC., a Delaware
15 corporation, and AMAZON DIGITAL
SERVICES, INC., a Delaware corporation
16

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19

20 APPLE INC., a California corporation,

21 Plaintiff,

22 v.

23 AMAZON.COM, INC., a Delaware
corporation, and AMAZON DIGITAL
24 SERVICES, INC., a Delaware corporation,

25 Defendants.
26
27
28

No. 11-cv-01327 PJH

Action Filed: March 18, 2011

STIPULATION AND ~~[PROPOSED]~~
ORDER MODIFYING PRETRIAL
DEADLINES

1 Pursuant to Civil Local Rule 6-2, the parties hereby jointly stipulate and request that the Court
2 modify the pretrial schedule as set forth herein. These limited modifications are sought in the
3 interest of judicial economy. The modifications preserve the final response dates of contested
4 pretrial motions and will not shorten the Court's time for ruling on such submissions. The
5 modifications do not alter the dates of the final pretrial conference or trial.

6 Motions pursuant to *Daubert v. Merrill Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993),
7 shall be filed no later than July 5, 2013, and noticed for the date of the final pretrial conference.
8 Oppositions to such motions shall be filed no later than July 11, 2013. No replies shall be filed.

9 Counsel shall meet and confer regarding preparation of the joint pretrial statement on or
10 before July 1, 2013.

11 The joint pretrial statement, trial briefs, motions *in limine*, and other pretrial submissions listed
12 in Section B.3 of the Court's Pretrial Instructions shall be filed no later than July 8, 2013.

13 Any oppositions to motions *in limine* and any counter deposition designations shall be filed no
14 later than July 11, 2013. No replies shall be filed.

15 DATED: June 25, 2013.

DAVID R. EBERHART
DAVID J. SEPAK
O'MELVENY & MYERS LLP

17 By: /s/ David R. Eberhart
18 DAVID R. EBERHART

19 Attorneys for Plaintiff
APPLE INC.

20 DATED: June 25, 2013.

MARTIN R. GLICK
DANIEL B. ASIMOW
SEAN M. CALLAGY
ARNOLD & PORTER LLP

23 By: /s/ Martin R. Glick
MARTIN R. GLICK

24 Attorneys for Defendants AMAZON.COM, INC., a
25 Delaware corporation, and AMAZON DIGITAL
26 SERVICES, INC., a Delaware corporation

1 ATTESTATION OF FILER

2 I, Martin R. Glick, am the ECF user whose identification and password are being used
3 to file this STIPULATION REGARDING SUBSTITUTION OF EXPERT. In compliance
4 with Local Rule 5-1(i)(3), I hereby attest that David E. Eberhart concurs in this filing.

5 By: /s/ Martin R. Glick
6 MARTIN R. GLICK

7
8 ~~[PROPOSED]~~ ORDER

9
10 Pursuant to stipulation, IT IS SO ORDERED.

11
12 DATED: June ²⁶__, 2013.

13
14
15 The Honorable  Hamilton
16 United States District Court Judge
17
18
19
20
21
22
23
24
25
26
27
28